

BEFORE THE  
OFFICE OF ADMINISTRATIVE HEARINGS  
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

LOS ANGELES UNIFIED SCHOOL  
DISTRICT AND NEW DESIGNS  
CHARTER SCHOOL.

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OAH CASE NO. 2012120439

ORDER GRANTING MOTION TO  
AMEND COMPLAINT

On December 11, 2012, Parent on behalf of Student (Student) filed a Due Process Hearing Request (complaint), naming the Los Angeles Unified School District (District). On December 21, 2012, Student filed an amended complaint. The amended complaint added New Designs Charter School (Charter School) as a defendant in Student's complaint.

The Office of Administrative Hearings (OAH) deems the filing of the Amended Complaint a Motion to Amend the Due Process Hearing Request (motion). Neither the District nor the Charter School filed a response to the motion.

An amended complaint may be filed when either (a) the other party consents in writing and is given the opportunity to resolve the complaint through a resolution session, or (b) the hearing officer grants permission, provided the hearing officer may grant such permission at any time more than five (5) days prior to the due process hearing. (20 U.S.C. §1415(c)(2)(E)(i).)<sup>1</sup> The filing of an amended complaint restarts the applicable timelines for the due process hearing. (20 U.S.C. §1415(c)(2)(E)(ii).)

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<sup>1</sup> All statutory citations are to title 20 United States Code unless otherwise indicated.

The motion to amend is timely and is granted. The amended complaint shall be deemed filed on the date of this order. All applicable timelines shall be reset as of the date of this order. OAH will issue a scheduling order with the new dates.

IT IS SO ORDERED.

Dated: December 31, 2012

/s/

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Administrative Law Judge  
Office of Administrative Hearings